



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

Ciba-Geigy  
12.7.02  
Vol. 10

4PM-CB

JUN 12 2002

URGENT LEGAL MATTER  
CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. R. Keith Harold  
Project Coordinator  
Geigy Road  
P.O. Box 113  
McIntosh, Alabama 36553

Subj: Bill for Future Response Costs  
Ciba-Geigy Superfund Site, McIntosh, Alabama  
Site/Spill ID Number: 04B1 and A410  
CERCLA ID Number: ALD001221902  
Consent Decrees, Civil Action Numbers: 96-0571-CB-M (A410) and 92-0742-AH-C (04B1)  
Payment of \$79,374.36 by July 19, 2002

Dear Mr. Harold:

The purpose of this letter is to request payment of outstanding Future Response Costs incurred by the United States Environmental Protection Agency (EPA) at the Ciba-Geigy Superfund Site (the Site), located in McIntosh, Alabama, pursuant to Consent Decrees (CDs), Civil Action Numbers 96-0571-CB-M (A410) and 92-0742-AH-C (04B1). The total Future Response Costs incurred at the Site, under the CDs are \$84,914.51. (Total costs of \$84,914.51 minus a credit of \$5,540.15 (as identified in EPA's correspondence to Rachel Deming, Environmental Remediation Counsel, Legal Department, Ciba Specialty Chemicals Corporation, dated March 30, 2001, copy enclosed) leaves a balance due in the amount of \$79,374.36.)

Site ID Number	Dates of Bill	Amount	Credit Applied	Amount Due
04B1	09/01/2000 - 03/27/2002	\$ 71,214.90	\$ 5,540.15	\$ 65,674.75
A410	10/11/1996 - 03/27/2002	\$ 13,699.61	\$ 0.00	\$ 13,699.61
		\$ 84,914.51	\$ 5,540.15	\$ 79,374.36



An itemized Superfund Cost Recovery Package Imaging and On-Line System (SCORPIOS) Report is enclosed.<sup>1</sup>

Please note that there may be other costs during this period which are not yet reflected in our financial systems for this billing. Therefore, additional costs may appear in future bills for this same billing period as well as costs appearing in this bill from a prior billing period.

As required by Section XVI, Paragraph 52 of each CD, please remit \$79,374.36 within thirty (30) days of your receipt of this letter which EPA deems to be seven (7) calendar days from the date of this letter. The check shall be made payable to the "EPA Hazardous Substances Superfund" and should reference the Ciba-Geigy Superfund Site and the Site/Spill ID Numbers 04B1 and A410. Please mail your payment to:

U.S. Environmental Protection Agency  
Region 4  
Superfund Accounting  
P.O. Box 100142  
Atlanta, Georgia 30384  
Attn: Collection Officer in Superfund

A copy of the check should also be sent to Ms. Paula V. Batchelor at the address provided below:

U.S. Environmental Protection Agency  
Region 4  
CERCLA Program Services Branch  
Waste Management Division  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303

Should you wish to dispute all or part of this bill, you must notify EPA of such dispute in accordance with the dispute resolution provisions contained in Section XVI, Paragraph 54 and Section XIX of each CD. However, payment of all undisputed portions of this bill is due no later than thirty (30) days from your receipt of this letter pursuant to Section XVI, Paragraph 52 of each CD.

If payment of all, or the undisputed amounts of this bill is not made by July 19, 2002, interest on the unpaid amount shall begin to accrue from the date of the bill and continue to accrue through the date of payment, in accordance with Section XVI, Paragraph 55 of each CD. Furthermore, Section XX, Paragraph 70 of each CD states that stipulated penalties may be

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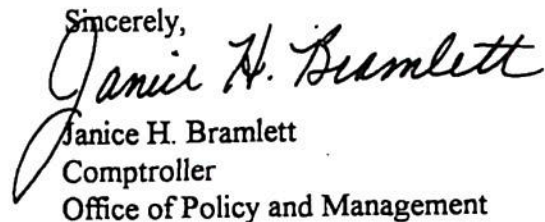
<sup>1</sup> SCORPIOS replaced the Superfund Cost Organization & Recovery Enhancement System (SCORES) in June, 2000 which previously replaced the SPUR report.

assessed in the amount of \$1,000.00 per day for the 1<sup>st</sup> through the 29th day after payment was due, with additional penalties accruing thereafter through the date full payment is made.

If the payment amount identified in this letter is not paid within the time required under each CD, EPA may take further collection efforts, including the referral of this debt to the Department of Justice for enforcement and collection. The referral will seek payment of the amount due as provided in both CDs, plus accrued interest, stipulated penalties, and enforcement costs, including attorney's fees, as appropriate.

If there are any questions regarding this bill, please contact Charles King, Remedial Project Manager at 404-562-8931, or Lisa Ellis, Associate Regional Counsel at 404-562-9541. Please note, unless otherwise advised in writing by EPA, any communications with EPA will not relieve you of your obligation to make the required timely payment as provided in this letter.

Sincerely,

  
Janice H. Bramlett  
Comptroller  
Office of Policy and Management

Enclosures:

1. SCORPIOS Report (dated May 3, 2002)
2. Explanation of Annual Allocation Process
3. Indirect Cost Overview [65 Fed. Reg. 35339 (May 30, 2000)]
4. Correspondence to Rachel Deming dated March 30, 2001.

MAILED  
JUN 12 2002  
EPA REGION 4  
ATLANTA, GA



## Itemized Cost Summary

CIBA GEIGY CORPORATION, AL SITE ID = 04 B1

For the Period 09/01/2000 - 03/27/2002

REGIONAL PAYROLL COSTS .....	\$3,489.53
EPA INDIRECT COSTS .....	\$10,892.55
REGIONAL TRAVEL COSTS .....	\$124.20
ATSDR	
AGENCY OF TOXIC SUBSTANCES AND DISEASE (ATSDR) .....	\$34,294.75
INTERAGENCY AGREEMENT (IAG)	
DEPARTMENT OF JUSTICE (DW15796801B) .....	\$1,811.38
DEPARTMENT OF JUSTICE (DW15796801C) .....	\$1,958.93
SUPERFUND COOPERATIVE AGREEMENT (SCA)	
ALABAMA DEPT. OF ENVIRONMENTAL MANAGEMENT (486801) .....	\$17,782.55
MCINTOSH COMMUNITY ACTION COMMITTEE (99405192) .....	\$861.01
Total Site Costs:	<hr/> <hr/> \$71,214.90

## Itemized Cost Summary

CIBA-GEIGY/MCINTOSH PLT, AL SITE ID = A4 10

For the Period 10/11/1996 - 03/27/2002

REGIONAL PAYROLL COSTS .....	\$7,978.15
EPA INDIRECT COSTS .....	\$4,093.81
REGIONAL TRAVEL COSTS .....	\$1,627.65
Total Site Costs:	<u>\$13,699.61</u>



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4EAD

MAR 30 2001

Rachel Deming  
Environmental Remediation Counsel  
Legal Department  
Ciba Specialty Chemicals Corporation  
560 White Plains Road  
P.O. Box 2005  
Tarrytown, NY 10591

SUBJ: Ciba-Geigy Corporation Superfund Site, McIntosh, Washington County, Alabama  
Settlement Arising from Informal Negotiations; Offset to Bill for Oversight Costs  
1998, 1999 Dispute Resolution Proceedings  
CERCLA ID Number: ALD001221902  
Site/Spill ID Number: 04B1

Dear Ms. Deming:

This letter serves as a final decision to resolve disputes on the oversight bills issued in 1998 and 1999 and to bill EPA's oversight cost current through August 31, 2000. The original bill was mailed on August 29, 2000. This amended bill is for \$21,585.16, and a SCORPIOS report is enclosed. Ciba Specialty Chemicals Corporation ("Ciba") had the opportunity to review this report earlier, and it is our understanding that Ciba does not dispute and will not raise in Dispute Resolution the costs provided in this report.

In order to resolve the above-referenced Dispute Resolution Proceedings, EPA will provide an offset of \$27,125.31 for future oversight bill(s) to address a reduction regarding the \$44,830.43 annual allocation charges arising from the CDM Fed Programs Corporation contract, contract number 68-29-0056. Ciba Specialty Chemicals Corporation agrees that the other objections it has raised in Dispute Resolution Proceedings in 1998 and 1999 is resolved.

Pursuant to the settlement agreement, EPA is offsetting the \$21,585.16 request for payment with the \$27,125.31 credited amount. Consequently, no payment for this Bill for Oversight Costs is required. The remaining amount for offsetting future oversight costs is \$5,540.15.

If you have questions, please contact Michi Kono at (404)562-9558.

Sincerely,

A handwritten signature in black ink, appearing to read "Franklin A. Hill". The signature is fluid and cursive, with the first name "Franklin" and last name "Hill" being the most legible parts.

Franklin Hill, Chief  
CERCLA Program Services Branch  
Waste Management Division

Enclosure: SCORPIOS Report

